



DEPARTMENT OF THE NAVY
OFFICE OF THE CHIEF OF NAVAL OPERATIONS
2000 NAVY PENTAGON
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OPNAVINST 1000.26B
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OPNAV INSTRUCTION 1000.26B

From: Chief of Naval Operations

Subj: FULFILLING THE MILITARY SERVICE OBLIGATION

Ref: (a) 10 U.S.C.
(b) DoD Instruction 1332.14 of 27 January 2014
(c) DoD Instruction 1200.15 of 13 March 2014
(d) DoD Instruction 1215.13 of 5 May 2015
(e) SECNAVINST 1920.6C
(f) NAVPERS 15560D
(g) DoD Instruction 1304.25 of 31 October 2013
(h) DoD Instruction 1322.22 of 24 September 2015
(i) SECNAVINST 1000.7F
(j) 50 U.S.C.
(k) BUPERSINST 1001.39F

1. Purpose. To implement sections 10145, 10146, 12103, and 651 of reference (a), by prescribing policy, procedures, and responsibilities with respect to fulfillment of the statutory military service obligation (MSO). This instruction is being reissued with a new date, updated version and signature authority to meet Chief of Naval Operations' age requirement for Office of the Chief of Naval Operations instructions.

2. Cancellation. OPNAVINST 1000.26A.

3. Definitions

a. Discharge. Complete severance from all military status gained by an enlistment, appointment, or induction.

b. Enlistment and Appointment. The voluntary initial entry of a person into any of the Military Services.

c. Induction. When authorized by law, the involuntary (or voluntary) assignment of eligible citizens to a Military Service.

d. MSO. The total required service that each person who becomes a member of the U.S. Armed Forces will serve in a branch of the U.S. Armed Forces unless discharged under regulations prescribed by the Secretary of Defense (SecDef) and the Military Department concerned.

e. Separation. A general term that includes discharge, release from active duty, release from custody and control of the Military Services, transfer to the Individual Ready Reserve, and similar changes in active or reserve status.

4. Policy. Every person, upon initial entry into a Military Service, on or after 1 June 1984, will serve a total of 8 years from the date of enlistment, appointment, or, when authorized by law, induction. The MSO is established as 8 years, per reference (a).

5. Procedures

a. MSO

(1) The accomplishment of the obligated period of service is determined in regulations established by the Secretary of the Navy (SECNAV).

(2) Any portion of the MSO that is not active duty or active duty for training will be performed in a Reserve Component as defined by reference (a), sections 10101, 10142, and 10143. Any combination of active duty or Ready Reserve service under applicable Department of Defense (DoD) and Department of the Navy regulations may be used to fulfill the MSO.

(3) The fulfillment of the MSO will be accomplished without interrupting the continuity of the Service member's total military service, except as noted in subparagraph 5e.

b. Discharge or Separation

(1) The MSO is considered terminated when a Service member is discharged, except as indicated in subparagraph 5b(2).

(2) The MSO is not terminated upon discharge or other type of separation for the purpose of immediate entry or reentry

in the same or any other component of the Military Services, or for the purpose of entry into an officer's training program in which the person remains a member of a Military Service. Service performed before and after such a discharge or other type of separation will be counted toward fulfillment of such obligation.

c. Discharge Prior to Completion of MSO. Generally, discharge of a member prior to fulfilling an MSO will be permitted only when the Military Department concerned has determined that the member has no potential for service under conditions of full mobilization, except as noted in subparagraphs 5d, 5e and 5i.

(1) Obligated Enlisted Service Members. Policy for the discharge of enlisted Service members is contained in reference (b).

(2) Obligated Officers. Policy for the early discharge of officers is contained in references (c), (d), and (e).

d. Delayed Entry. Delayed entry is the military status gained by an enlistment in which a Service member's entry on active duty or initial active duty for training (IADT) is postponed under regulations prescribed by SECNAV. Service members in a delayed entry status incur an MSO.

(1) Active Component Delayed Entry Program (DEP). Persons who enlist in the Ready Reserve under section 12103 of reference (a), for the express purpose of agreeing to a subsequent enlistment in a regular component of the Military Services are in the DEP. DEP members who fail to enlist in a regular component of the U.S. Armed Forces may be ordered to involuntary IADT and to complete the remainder of the MSO in a Reserve Component.

(2) Reserve Component DEP. Persons who enlist in the Ready Reserve under section 12103 of reference (a), for service in a Reserve Component and whose IADT or active duty is postponed, are in the DEP. DEP members who fail to report for IADT or active duty may be ordered to involuntary IADT or to active duty to complete the remainder of the MSO in a Reserve Component.

(3) Discharge from DEP. DEP members may also be discharged for any of the reasons specified in reference (f), article 1910-136. Individuals discharged from the DEP will not be credited for service in fulfillment of the MSO incurred, and any future enlistment or appointment of such persons will be treated as an original entry into military service, as outlined in reference (g).

e. Underage Entry. A Service member whose enlistment or appointment is declared void because the Service member is underage and who is released as the result of such action may not be considered to have acquired an MSO; however, service rendered under a void underage enlistment, when characterized as honorable by the Secretary of the Military Department concerned, will be creditable toward fulfilling any subsequent MSO acquired by the Service member. Such credit would not alter the terms of any subsequent enlistment for specific periods of Active Component or Reserve Component service. If such service was performed only in a delayed entry status, it will not be credited to fulfillment of the MSO (subparagraph 5d(3) applies). Procedures for underage discharges are established in reference (f), article 1910-128.

f. Service Academy and Reserve Officers' Training Corps (ROTC) Appointments

(1) Credit for Enlisted Service. An enlisted Service member who accepts appointment to a service academy as a cadet or midshipman under reference (a), chapters 403, 603, or 903, or as an ROTC cadet or midshipman under reference (a), section 2107 retains enlisted status in spite of such appointment.

(a) Termination. If an appointment is terminated before graduation or if a cadet or midshipman refuses to accept a commission, if offered, following graduation, the period of concurrent enlisted service will be counted toward fulfillment of the MSO, as a result of the enlistment served at the time of the appointment.

(b) Order to Active Duty Following Termination. Credit described in subparagraph 5f(1)(a), does not alter the authority for ordering disenrolled cadets or midshipman to active duty.

(c) ROTC Advanced Training (College Program). An officer appointed under reference (a), section 2104, may not be credited with service as a cadet or midshipman or with concurrent enlisted service.

(d) ROTC Scholarship Recipients. An officer appointed under reference (a), section 2107, may not be credited with service as a cadet or midshipman or with concurrent enlisted service.

(2) Credit for Direct Appointments as a Cadet or Midshipman

(a) Commissioned Officers. Enlisted service performed concurrently while serving as a cadet or midshipman does not count towards fulfillment of the MSO incurred as a result of commissioning.

(b) Service Academy Termination. A service academy cadet or midshipman who initially received a direct appointment and whose appointment is terminated before graduation, or who does not accept a commission following graduation, will be processed as required by the provisions of reference (h).

g. Unsatisfactory Participation in the Ready Reserve. A person who incurs an MSO and who subsequently fails to perform any required reserve training satisfactorily, may not be discharged, except under subparagraph 5c.

h. Inter-Service and Inter-Component Transfers. Transfer of Service members who have a remaining MSO between Military Services or components of a Military Service will be accomplished under reference (f), article 1910-102 in the case of enlisted members, and reference (i) in the case of officers. Obligated military service performed before and after an authorized transfer will be counted toward fulfillment of the MSO.

i. Members of the Clergy. Under section 12682 of reference (a), upon written application, a Service member may be discharged from a Reserve Component of a Military Service if the Service member has become a member of the clergy and satisfactorily establishes the guidelines established in subparagraphs 5i(1) through 5i(5).

(1) The ministry is, or will be, their main and primary vocation;

(2) They will, or do regularly, engage in religious preaching and teaching;

(3) Their religious faith group is organized exclusively or substantially for religious purposes;

(4) Their standing in the faith group is, or will be, recognized as that of a minister or leader of a group of lesser members; and

(5) They are certified by an appropriate official of the faith group to be a fully qualified minister, or member of the clergy for groups that have clergy, and are in good standing.

j. Induction. In time of war or national emergency or when otherwise authorized by law, persons who are inducted under reference (j), section 456 (d)(1), and who complete the required period of active training and service will continue to hold their appointment or enlistment contract to serve as a reservist and will be required to fulfill the term of the obligation, unless discharged by SECNAV.

6. Action

a. Commander, Navy Personnel Command (COMNAVPERSCOM) will issue the requirements for the administration of the MSO in conformance with this instruction.

b. Superintendent, United States Naval Academy will ensure all Naval Academy midshipmen understand their MSO.

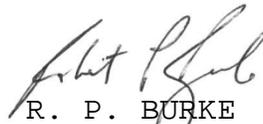
c. Commander, Naval Education and Training Command will ensure all NROTC midshipmen understand their MSO.

d. Commander, Navy Recruiting Command will ensure that all men and women recruited into the Navy understand the requirements and obligation of the MSO contained herein.

e. Chief, Bureau of Medicine and Surgery will provide consulting services concerning appropriate physical qualification.

f. COMNAVPERSCOM Individual Ready Reserve Mobilization and Force Management Division (PERS-93) will maintain adequate and current information on members of the Individual Ready Reserve who have a remaining obligation, as deemed appropriate, per reference (k).

7. Records Management. Records created as a result of this instruction, regardless of media and format, must be managed per SECNAV Manual 5210.1 of January 2012.



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